



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 WRIT PETITION NO. 13626 OF 2025

SUREKHA JAGAN TAKTE

VERSUS

NEHA AKSHAY TAKTE

...

Mr. C. B. Chaudhari, Advocate for the Petitioner

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 19th JANUARY, 2026

P. C. :-

1. Petitioner impugns order dated 09.09.2025 passed by learned Civil Judge, Junior Division, Dhule below Exhibit 27 in Misc. Civil Application No. 638 of 2025, whereby Petitioner's application for issuing witness summons to Administrative Officer, Municipal Corporation, Dhule has been rejected.

2. Respondent herein filed Misc. Civil Application No. 638 of 2025 seeking heirship certificate. Petitioner is Respondent. The issue raised in application pertains to declaration of status being legal heirs of deceased Akshay Jagal Takte. Respondent is wife of late Akshay, whereas Petitioner is his mother. In this backdrop, Petitioner filed an application for issuance of witness summons to Administrative Officer, Municipal Corporation, Dhule.

The Trial Court observed that Respondent has admitted about her appointment on compassionate ground with Municipal Corporation, therefore, issuance of summons is not warranted. Apparently, purpose of seeking witness summons was to bring on record grievance of Petitioner that, respondent's appointment with Corporation on compassionate ground, was secured without no objection of Petitioner. This Court finds that, examination of witness from Corporation was not relevant to issue to be decided by Trial Court in Misc. Civil Application filed for purpose of issuing heirship certificate.

3. In that view of matter, no jurisdictional error can be found in impugned order, hence, Writ Petition stands rejected.

(S. G. CHAPALGAONKAR, J.)

ssp